

**TIVERTON PLANNING BOARD
MINUTES OF MEETING
September 2, 2014**

Chairman Stephen Hughes called the regular meeting of the Tiverton Planning Board to order at 7:01 P.M. at the Town Hall, 343 Highland Road. Members present were: Vice Chairman Stuart Hardy, Patricia Cote, Rosemary Eva, Susan Gill, Carol Guimond, Peter Corr and David Saurette. Member Edward Campbell was absent.

Also in attendance were: the Planning Board's Clerk and Administrative Officer Kate Michaud and David Petrarca, Esq., substituting for Planning Board's Solicitor, Peter Ruggiero, Esq.

1. Jonathan and Rebecca Cottrell – 35 Main Road – Tiverton, RI 02878 – Design Plan Review – Zoning Board Approval Required – Construction of Second Floor Addition to Existing Building – New Area to Contain Six (6) One-Bedroom Dwelling Units – First Floor to Remain Commercial – Plat 101 / Lot 118 – W/S Main Road, E/S Audet Street – Traditional Main Street (TMS) Zoning District – Continued from August 5, 2014 – Applicant has requested a continuance to October 7, 2014 The Board's Administrative Officer, Ms. Michaud stated that the applicant had requested a continuance to the October 7th meeting and waived the time clock.

Ms. Eva made motion to continue this petition to the October 7th meeting. Mr. Hardy seconded the motion. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Corr and Mr. Saurette voted in favor of the motion.

2. Referred by the Tiverton Town Council – Recommendation Regarding Quarry License Renewal – CMC Family Limited Partnership – c/o Charles Coelho – Plat 916 / Lot 161 - East of Crandall Road, East of East Road, West of Westport Town Line – R-80 Zoning District (License Renewal Already Approved Subject to Planning Board Recommendation) Ms. Michaud circulated larger and colored versions of the photographs which she had included in her report to Town Clerk, Nancy Mello, dated August 22, 2014 (see file). Copies of the report and the plan on file with the Town Clerk's Office had been distributed to Board members.

Mr. Hardy noted that this was the only quarry with an active license and they had not been actively quarrying for some time. The Chairman noted that the license renewal was for the current year (2013-2014) and that it would need to be renewed again on December 1, 2014. Ms. Eva noted that the plan was lacking a locus. The Chairman agreed and stated that the plans would need to be updated in accordance with the requirements of a revised ordinance, when a revised ordinance was approved by the Town Council. (Note: Earth Removal Ordinance amendments had been forwarded and recommended by the Planning Board in March '14 and were still under review by the Town Council.)

After a short discussion Mr. Hardy opined that the applicant had acted in good faith and made a motion to make a positive recommendation for the quarry license renewal for the current year (2013-2014), with a note that the pending ordinance amendments should address the gaps in the current process requirements. Mr. Corr seconded the motion. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Corr and Mr. Saurette voted in favor of the motion.

3. Town Planner & Administrative Officer

A. Administrative Officer's Report The July AO Report was distributed along with a legislative update report issued by Statewide Planning. The report contained information regarding the new "fee in lieu of" option for affordable housing, a legislative study commission for land use topics and a new time clock on the issuance of Zoning Board decisions after the close of a public hearing.

1. Special Meeting Scheduled – September 23 @ Tiverton High School It was confirmed that the Tiverton Crossings/Carpionato meeting would be held, with a 7:00 P.M. start time.

B. Construction Update: Ms. Paiva and Mr. Berlucchi were not present. No updates or discussions were

made.

1. **Stafford View Farm.**
2. **Tiverton Public Library**
3. **Cottrell Farm – Public Improvements Accepted by Town Council**

C. Town Planner Items

1. **Update: Stone Bridge Abutment Repairs** Ms. Michaud noted that VHB was working on a response to RIDOT comments and permitting applications necessary for construction.
2. **Seaside Gas Update / RWU Community Partnership Center Town Council Presentation Scheduled for September 8** Announcement only no discussion.

D. Miscellaneous There was no miscellaneous discussion.

4. Tiverton Planning Board

A. Solicitor's Report Mr. Petrarca reviewed the legislative report from Statewide Planning. See item # 3.A.

B. Earth Removal – Town Code Chapter 38: Town Council Public Hearing Continued to September 8, 2014

1. Review of Amendments from Town Solicitor Andrew Teitz (if available) – Possible Comments to Town Council Draft amendments were not available for review.

2. If Draft Amendments are Not Available: Request Opportunity to Comment Prior to Action

The Chairman stated that if the Board wanted to, the Planning Board could request an opportunity to review the draft amended ordinance prior to a vote by the Town Council. He suggested that a request could be made for a tracked version of the ordinance.

Mr. Hardy made a motion to request an opportunity to review the amendments and revisions to the ordinance prior to a vote by the Town Council. He also requested a tracked document. Mr. Corr seconded the motion. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Corr and Mr. Saurette voted in favor of the motion.

C. Correspondence There was no correspondence received.

D. Miscellaneous

1. Comprehensive Community Plan Update – Timeline Review Joint Workshop / Public Hearing Tentative Dates The Chairman announced the tentative dates for review of the Comprehensive Community Plan update. He stated that this was a very aggressive timeline and that the dates were tentative.

a. September 18 – Joint Planning Board / Town Council Workshop

b. October 20 – Joint Planning Board / Town Council Public Hearing

3. Watershed Protection Overlay District Update: Conservation Commission Subcommittee/ Source Water Protection Mr. Hardy stated that the subcommittee was working on amendments, which would be shared with URI's water resources expert Lorraine Joubert for review and feedback.

E. Approval of Minutes:

June 3, 2014 Mr. Hughes made a motion to approve the minutes as amended. Mr. Hardy seconded the motion. The motion passed 6-0-2. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Guimond, Mr. Corr and Mr. Saurette voted in favor of the motion. Ms. Eva and Ms. Gill abstained.

July 15, 2014 These minutes were not ready.

August 5, 2014 These minutes were not ready.

August 19, 2014 These minutes were not ready.

F. Adjournment: Ms. Cote made a motion to adjourn. The motion was seconded by Mr. Hardy. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Corr and Mr. Saurette voted in favor of the motion. The meeting adjourned at 7:40 P.M.

(Italicized words represent corrections made on the approved date.)

Submitted by: _____
Kate Michaud, Clerk

Approval Date: draft

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